

R E M A R K S

In view of the Examiner's objections, applicant submits a Substitute Specification, which avoids unnecessary and redundant wording, as well as grammatical inconsistencies and infelicities of language due to a literal translation of the German text. No new matter has been introduced, and entry of the Substitute Sepcification is accordingly respectfully solicited.

The claims have been rewritten in an effort to overcome the objections raised by the Examiner and the rejection under 35 U.S.C. 112. Antecedents have been provided for all positively recited features, and the language is respectfully submitted to be clear.

The rejection of the claims under 35 U.S.C. 103(a) as being unpatentable over Wall et al, the primary reference, in view of the secondary and teritary references to Shih and Toyama is respectfully traversed. It is respectfully submitted that the three references have been pieced together by the Examiner on the basis of hindsight gained from applicant's teaching, and nothing in any one of the three disclosures made such a combination obvious at the time the present invention was made, as required by Sec. 103. As the following discussion of the references will show, furthermore, even if the

combination were in accordance with the Statute, it would not lead to the claimed invention.

Wall et al, as conceded by the Examiner and acknowledged by applicant under "Description of the Prior Art," merely discloses the type of conventional self-inking hand stamp which applicant's invention seeks to improve. Shih also discloses such a hand stamp whose actuating frame has recess 31 on its top side for information sheet 35, and transparent cover 34 thereover. This teaching, too, has been acknowledged by applicant as known.

The Examiner has asserted that "Toyama shows a hand stamp with a handle having a recess ... extending continually from the top side to at least one of the broad sides with a generally U-shaped cross section." In fact, applicant can find nothing in the description of this patent to suggest, much less show, such a recess. No such recess is described, nor is there any hint for the utility of such a recess in Toyama's hand stamp. Presumably, the Examiner has based his holding on the illustration of handle 55 in Fig. 3. The strip on this handle has not been described. It certainly is not shown as a **recess**. It may merely be decorative, for instance of a different color than the rest of the handle, or it may be of a rough material enabling a better grip on the handle. At any rate, a person of ordinary skill in the art and, without a description, will not

find a recess in handle 55 in Fig. 3 without learning of such a recess in applicant's, not Toyama's, disclosure. It was not obvious at the time the present invention was made and amounts to reading applicant's teaching into the prior art.

In view of the lack of any such disclosure in Toyama as alleged by the Examiner, it is respectfully submitted that he could not have made obvious to a person of ordinary skill in the art at the time the present invention was made to change Shih's recess 31 to extend to at least one broad side, as set forth at (c) (3) of claim 19, and to provide a transparent cover of the shape recited at (d). Thus, even if the combination of the references had been obvious, it would not produce the claimed self-inking hand stamp.

In addition, applicant respectfully submits that the roller hand stamp of Toyama differs so fundamentally from that of applicant, as well as Wall et al and Shih, that a person of ordinary skill in the art of hand stamps would not find it obvious to look for guidance at roller hand stamps when he builds a self-inking hand stamp. A fixed handle on a roller hand stamp cannot be compared in structure and function to a cap-like actuating frame of a self-inking hand stamp.


A sincere effort having been made to overcome all objections and grounds of rejection, favorable reconsideration

and allowance of claim 19 and the claims dependent thereon are respectfully solicited.

A request for extension of time is attached.

Respectfully submitted,

ERNST FABER

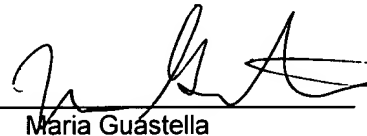


Kurt Kelman, Reg. No. 18,628  
Allison C. Collard, Reg. No. 22,532  
Edward R. Freedman, Reg. No. 26,048  
Attorneys for Applicants

COLLARD & ROE, P.C.  
1077 Northern Boulevard  
Roslyn, New York 11576  
(516) 365-9802

Enclosure: Substitute specification  
Marked-up copy of specification  
Request for extension of time

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 14, 2003



Maria Guastella



Marked-up copy

SUBSTITUTE SPECIFICATION

SELF-INKING HAND STAMP

Applicant claims priority under 35 U.S.C. §119 of Austrian Application No. GM 105/99, filed on 18 February 1999.

Applicant also claims priority under 35 U.S.C. §365 [120] of PCT/AT00/00029, filed on 8 February 2000. The international application under PCT article 21(2) was not published in English.

BACKGROUND OF INVENTION

1. Field of Invention.

The invention relates to a self-inking hand stamp with upper impact inking comprising a stamp housing in which a stamp aggregate is arranged that is capable of moving from an inking position on an ink pad to a stamping position, and [with] an actuating frame [and] with a reversing mechanism [being] associated with [said] the stamp aggregate for [said] this purpose[,], [whereby the] The actuating frame[, the latter being] comprised of a top side, two broad sides [opposing one another] opposite each other, as well as two narrow sides opposite

each other [opposing one another], is mounted on the upper part of the stamp housing in the form of a cap. The actuating frame comprises two legs resting laterally on the stamp housing for actuating the stamp aggregate. [Said actuating frame] It can be pressed down [against] in relation to the stamp housing against a spring force and [is provided with] has a receiving recess located at [the] its top side for accommodating an information sheet, with a transparent cover being detachably [associated with said recess that is] mounted on the receiving recess [in a detachable manner].

## 2. Description of the Product.

Such self-inking hand stamps [comprising a cap-like actuating frame] offer the advantage of a compact and handy construction as compared to stamps having an upwardly projecting handle mounted on the top side of the actuating frame - compare, for example US 4,432,281 A[, on the one hand,] or AT.1271 U, [as well as] with US 4,823,696 A [on the other]. It is also common practice [also] in [conjunction with] such self-inking hand stamps with a cap-like actuating frame to accommodate an information sheet on the top side of the cap in a sight window that displays the respective stamp imprint to be

produced, in order to inform the user about the respective stamp imprint when using a multitude of stamps. Provision is usually made for a transparent cover with a more or less plane surface, which is snapped on to the actuating frame above the recess for receiving the information sheet. However, [it has been found in practical life that] users frequently require additional information, [whereby, for example] such as company information, information relating to various departments within a company, advertising data and similar information [are desired]. [As a way out] For this purpose, [provision has been made for] actuating frames in different colors conforming to different departments in a company, for example such as hand stamps with plastic actuating frames dyed in black, blue and red, have been provided. In addition, it has become customary to glue labels to the broad sides of the upper components of the actuating frame such as, for example labels containing the information "department X". On the other hand, it has been proposed also to [make provision for] provide receiving recesses for accommodating labels on the two broad sides of the actuating frame instead of on the top side in order to accommodate information labels in such recesses - compare AT 380 836 B. However, these various proposals all have been found

[to be not] unsatisfactory in [practical life; however,]  
practice but they were [obviously] accepted because [with self-  
inking hand stamps with cap-shaped actuating frames of the  
specified type,] only these designs were viewed as useful in  
[view of the accommodation of] self-inking hand stamps in which  
the stamp housing [with elastic] resiliently supports [of] the  
cap-shaped actuating frame [in a compact, "squat" type of  
construction], [and this] in spite of the fact that it has been  
known [since a longer time] from DE 1 136 720 C to place a  
label on the head of the handle of a hand stamp that extended  
from the top side to the narrow sides and possibly also up to  
the broad sides of the head of the grip, with a cap attached to  
the top that enclosed the head of the handle on all sides.  
However, [the] this hand stamp [involved was one without a] had  
no self-inking system, so that no components had to be  
accommodated in the interior of the handle[, and,].  
Furthermore, no provision was made for receiving recesses on  
the head of the handle for accommodating the labels, which were  
simply inserted under the generally square cap. Such a cap  
poses only few problems with a hand stamp without a self-inking  
system in spite of the instability it causes when stamp  
imprints are produced because no moving components are present;



however, in connection with self-inking stamps such a cap may lead to an [only] inadequate stamp imprint that even may be smudgy under certain circumstances.

#### SUMMARY OF THE INVENTION

Therefore, the problem of the invention was to provide a self-inking hand stamp of the type specified above that offers in an integrated form the possibility to easily and safely accommodate additional information apart from a sample of the respective stamp imprint, without [causing] increasing the cost of the manufacture and assembly of the components of the stamp [to require more expenditure], and without impairing the production of stamp imprints.

The self-inking hand stamp of the type specified above [as defined by the invention is accordingly characterized in that the] solves the problem with a receiving recess which continuously extends with lateral limitation [towards] at the narrow sides from the top side of the actuating frame [up] to at least one broad side of the actuating frame[;] and [that the] a one-piece transparent cover which is [designed] curved accordingly, arching from the top side to at least one broad

side[, and realized in the form of one single piece].

Owing to the fact that the receiving recess extends not only over the top side but also over at least [across] one broad side of the top part of the actuating frame, it is possible to accommodate in addition to the information on the top side also information on the at least one broad side[, whereby such]\_. Such accommodation is preferably realized with [in that] a suitably sized information sheet [is] inserted in the receiving recess that extends both across the top side and also across the area of the receiving recess located on the broad side of the actuating frame, displaying [in this connection] the stamp imprint, for example on the top side, whereas information about the company or company department, advertising information, etc., is contained within the area of the broad side. Such an arrangement has no adverse effects with respect to the manufacture of the hand stamp because the receiving recess can be formed without problems [with the specified expanse] in the course of manufacture of the actuating frame, for example from plastic by injection molding. It is possible in a similar manner to produce the transparent cover in a curved instead of the more or less plane form, particularly by injection molding

as well, using a transparent plastic[, and it]. It is  
[basically] possible also to fix the cover in the usual manner  
by locking or snapping it on. It is accordingly possible to  
keep the manufacture of the components of the hand stamp and  
the assembly of the latter within the framework used  
heretofore. In particular, it continues to be possible without  
problems to mount one or more springs between the top side of  
the stamp housing and the inner side of the actuating frame  
below the receiving recess. The strength of the actuating frame  
is not impaired by the recess that continues to extend over at  
least one broad side because the edges of the recess located  
adjacent to the narrow sides act as reinforcing ribs[, which,].  
[d]During stamping, [permits to] this supports an adequate  
[extent the] transmission [of] force especially to said area of  
the narrow side, where the legs of the actuating frame  
establish the connection to the stamp aggregate.

[In view of] To obtain an information surface area that is  
as large as possible, as well as [also in view of] a  
symmetrical design that facilitates the manufacture, [it was  
found that] it is particularly [favorable] advantageous if the  
receiving recess extends with a generally U-shaped cross

section [up] to both broad sides of the actuating frame, and if the transparent cover has a substantially U-shaped, curved cross section. [Also with such an embodiment, no changes are basically required in the structure and during the assembly of the hand stamp, and its handling is not impaired.]

For mounting the transparent cover by simply snapping or locking it on, [provision can be advantageously made that] the transparent cover advantageously has locking projections located on its inner surface along the edge, for locking the cover in locking recesses located on the edge of the receiving recess. Provision is usefully made for at least one locking projection on the at least one broad side, and for a locking projection on the opposite edge on the top side, but preferably on the other broad side if the receiving recess extends toward both broad sides[, whereby the]. The cover is shaped in a suitable form or with initial elastic tension, so that it is attached to the receiving recess and snapped on with elastic deformation. For safely securing the transparent, curved cover on the actuating frame, it is useful in this connection if a strip-like, center locking projection is molded onto each of the edges of the transparent cover, with a corresponding,

oblong locking window located on the respective edge of the receiving recess being associated with such a locking projection.

Furthermore, it is [favorable] advantageous for simplified mounting of the information sheet if the locking projections on the inner surface of the transparent cover form at the same time a holding means for fixing the information sheet. In such an embodiment, the information sheet is first inserted in the cover, curving accordingly, and the cover together with the information sheet is subsequently snapped onto the actuating frame.

In order to obtain a defined space for receiving the information sheet, or an arrangement of the transparent cover with a spacing from the bottom of the receiving recess, and to nonetheless permit compact and fixed mounting of the cover, it is advantageous also if the receiving recess [is embodied with] has at least one support [protrusion] shoulder located on the edge side for supporting the edge of the transparent cover. It was found [that it is] particularly useful in this connection if [provision is made in] the receiving recess within the area

of the edge of the broad side [for] has a shoulder[-like support protrusion] that extends adjacent to the narrow sides up to the top side, with its height close to zero.

[In view of] To assure the snap-on attachment of the transparent cover and an elastic deformation of [said] the cover without the risk of breaking it, and in order to [make provision for] obtain a relatively plane substrate in the interest of good readability of the information sheet, such substrate being [formed] shaped by the bottom of the receiving recess, it is advantageous[, furthermore,] if the top side of the receiving recess, as well as the area of the broad sides, [extends in a] is only slightly curved [manner] at [the] most, as compared to the arched transparent cover.

Finally, for the manufacture and as also for the deformation, it is [favorable] advantageous if the transparent cover is curved both in the transverse and longitudinal directions.

#### BRIEF DESCRIPTION OF THE DRAWINGS

The invention is explained in greater detail in the

following in conjunction with the [help of] preferred [exemplified] embodiments shown in the drawing[; however], without being limited to such exemplified embodiments. In the drawing,

FIG. 1 is a schematic view of a self-inking hand stamp comprising an actuating frame mounted on the stamp housing in the form of a cap.

FIG. 2 shows a vertical section through said hand stamp according to line II-II in FIG. 1.

FIG. 3 shows a corresponding vertical section through the upper part of said hand stamp, shown, however, by an exploded representation of the transparent cover, an information sheet, and the actuating frame with the receiving recess provided on the latter for receiving the information sheet.

FIG. 4 shows on a larger scale a sectional view of the detail IV of FIG. 3 within the area where the cover is locked on the actuating frame.

FIG. 5 shows a comparative sectional detailed view of an area outside the locking site for illustrating a shoulder-like support protrusion for supporting the transparent cover; and

FIG. 6 shows [by] a partial view similar to FIG. 1 of the upper part of a modified self-inking hand stamp.

#### DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

FIGS. 1 and 2 show a self-inking hand stamp 1 with upper impact inking, which [is overall denoted by 1. Said hand stamp] comprises a stamp housing 2, in which a stamp aggregate 3 is movably arranged in [the] a conventional manner [per se]. Said stamp aggregate 3 is shown in FIG. 2 in the upper normal or inking position, resting on an ink pad 4 in a pad drawer 5 pushed into a receptacle in the stamp housing 2. From said upper position, the stamp aggregate 3 can be moved down and swiveled at the same time by 180°, so that it is capable of producing an imprint on [the respective] a document with its printing side 6 through the lower opening 7 of the stamp housing 2. For such actuation of the stamp, provision is made for an actuating frame 8 mounted [with its top part] on the stamp housing 2 in the [way] manner of a cap. [Said] The



actuating frame is comprised of the two legs 9, 10 (see FIG. 1) that slide along the two narrow side walls[, for example] 11 [in] [FIG. 2][,] of the stamp housing [while being in connection] and are connected with the stamp aggregate 3 by pins 13 extending through a vertical guide slot 12 [via the pins or axles 13]. For reversing the stamp aggregate 3, [provision is made in the conventional manner] suitable control cams 14 on the inner side of the side walls 11 [for suitable control cams that] cooperate with corresponding stop means provided on the stamp aggregate 3. Such[, as shown in FIG. 2 at 14, which overall results in] a reversing mechanism (12, 13, 14) [of the type] is known per se.

Within the cap-like top part of the actuating frame 8, a pressure spring 15 is arranged between the stamp housing 2 and the actuating frame 8. Said pressure spring forces the actuating frame 8 into the upper normal or inking position shown. The pressure spring 15 is supported [in this connection] on the top side of the stamp housing 2, on the one hand, as well as on the inner surface of the actuating frame 8 on its top side 16, on the other hand.

On [said] top side 16 of the actuating frame 8, a receiving recess 17 for accommodating an information sheet 18 is [shaped by molding in the dish- or cap-shaped top part] molded on the outer side[, whereby said receiving]. Receiving recess 17 extends continuously with a U-shaped cross section [on] over both broad sides 19, 20 of the actuating frame 8, up to about half of the height of the cap-shaped top part, and is [limited] delimited there as well as [toward] at the narrow sides of the actuating frame 8 by an edge. Substantially three coherent information surfaces or information recesses are obtained in this way, namely a top information surface 21 as well as the two information surfaces 22 and 23 on the broad sides. For covering the receiving recess 17 or the information sheet 18 inserted therein, provision is made for a dish-shaped transparent cover 24, which has a substantially U-shaped cross section, see [FIG. 2, and in particular also] FIGS. 3 and 4. Said cover is simply snapped onto the actuating frame 8.

For said purpose, the locking projections 25 are molded [shaped by molding on the two broad sides 19 and 20] in the center [on] of the edge of the cover 24 on the inner side, [see in addition to FIG. 1 also FIGS. 3 and 4. Said locking

projections are capable of engaging the corresponding] and  
engage corresponding locking recesses 26 located on the edge of  
the receiving recess 17 on broad sides 19, 20 of the actuating  
frame 8. In the [exemplified] embodiment according to FIGS. 1  
to 5, each locking projection 25 - and correspondingly the  
window-like locking recess 26 - is [shaped] oblong [or in the  
form of a strip], as [particularly] shown [by the  
representation] in FIG. 1, and said locking elements 25, 26 are  
arranged in the center of the broad sides 19 and[,  
respectively,] 20. The locking windows 26 adjoin the [shoulder-  
like support protrusions] shoulders 27 on the recess edge, as  
[side. Said support protrusions] can be seen in FIG. 1 for the  
one broad side 19 , and [- see also the representation] in FIG.  
5, which shows a section similar to FIG. 4, but in a site next  
to the locking elements 25, 26, and whose height adjacent to  
the narrow sides of the frame comes close to zero toward the  
top side 16. Furthermore, an information sheet 18 inserted in  
the receiving recess 17 , as is shown in FIGS. 4 and 5 by the  
dash-dotted line. For mounting it with the cover 24 removed,  
[said] information sheet 18 is first inserted in [said] cover  
24 on the inside - see the arrow and the dashed representation  
of the information sheet 18 within the cover 24 in FIG. 3,

[whereby] the locking projections 25 also [serve] serving as means for holding the information sheet 18 [8]. Subsequently, the cover 24 together with the information sheet 18 is placed on top of the actuating frame 8[, whereby] and the locking projections 25 snap into the locking windows [or the general locking recesses] 26. This causes the information sheet 18 to be [more flatly] tightly pressed against the bottom of the receiving recess 17[, whereby the receiving recess 17] which, as shown [not only] in FIG. 3 [but also in FIG. 2], is [more plane] flatter in the two broad-side information areas 22, 23 as well as in the information area 21 at the top side l as compared to the] than cover 24 having a cross section with a more pronounced curvature.

The cover 24 may have a convex curvature also in the longitudinal direction (see FIG. 1) in order to permit it to adapt itself to the contour of the actuating frame 8 [in a superior manner,] and to[, furthermore,] permit it to snap in more forcefully [with] under elastic initial tension. Furthermore, as shown in FIG. 2, the two broad-side legs of the dish-shaped cover 24 [with the U-shaped cross section] may be shaped slightly converging downwards, and the [shape of the]

cross section of the cover 24 may be approximately semi-circular. As opposed thereto, the receiving recess 17 has an almost rectangular shape, [disregarding] except for the rounded corners in the area of transition from the broad sides 19 and 20 to the top side 16, where the cover 24 comes close to the bottom of the receiving recess 17 on the inner side - see FIG. 2.

FIG. 6 shows [an] a modified embodiment of a self-inking hand stamp [that is modified as compared to the one shown in FIG. 1] in that [in FIG. 6, the] transparent cover 24 is snapped on on each broad side[, for example] 19[, ] of the actuating frame 8 with the help of [the] two locking projections 25a, 25b that are arranged [more] close to the side, said locking projections engaging the corresponding locking recesses 26a, 26b located on the edge of the receiving recess 17. In the present case, too, the locking projections 25a, 25b [again] can be used as means for mounting the information sheet 18, as explained above [with the help of FIG. 3].

Another possibility for locking the cover 24 on the edge of

the receiving recess 17 would be to [make provision for] to provide an at least partially undercut edge of the receiving recess 17 or cover 24. However, it has been found that [it is then] this makes it relatively difficult to remove the cover 24 from the actuating frame 8, so that the embodiment with the locking projections 25 and locking windows 26 described above was found to be more favorable. Another possible modification of the described self-inking hand stamp consists [in that the] of providing receiving recess 17 [is provided] on only one broad side, for example 19, as well as on the top side 16, [i.e. on the other broad side 20,] while the fastening point for securing the cover 24 on the the broad side 20 of actuating frame 8 would be shifted upwards into the ["]corner area["], viewed in the cross section, as [it is] schematically indicated in FIG. 3 at 28. Viewed in the cross section, an approximate L-shape would accordingly be obtained for the receiving recess 17 and [or] the cover 24 instead of the U-shape.